



Planning Commission Meeting Minutes

DATE: August 30, 2011

APPROVED
BY:

A handwritten signature in blue ink, appearing to be "JWB", is written over a light gray rectangular background.

MINUTES OF THE LAKE COUNTY PLANNING COMMISSION July 26, 2011

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Chair Pesec called the meeting to order at 7:02 p.m.

ROLL CALL

The following members were present: Messrs. Adams, Brotzman, Pegoraro, (alt. for Troy), Schaedlich, Smith (alt. for Sines), Terriaco (alt. for Morse), Welch (alt. for Aufuldish), Zondag, and Mmes. Hausch and Pesec. Staff present: Messrs. Boyd, Radachy, and Ms. Truesdell.

MINUTES

Mr. Schaedlich suggested punctuation and grammar changes to the June, 2011 minutes. Mr. Pegoraro said that the Health Department is not a County department as referenced in item #6 of the Memorandum of Understanding.

Mr. Zondag moved and Ms. Hausch seconded the motion to approve the June 28, 2011 minutes.

Eight voted "Aye."
One abstained.

FINANCIAL REPORT

June 2011 Financial Report

Mr. Boyd said the Financial Report reflects the percentage of expenditure and revenue accounts used for the first six months of 2011. We have spent 48.5% of the expenditure accounts and received 88% of the expected revenue.

Mr. Schaedlich moved and Mr. Welch seconded the motion to approve the June, 2011 Financial Report with noted changes.

Eight voted "Aye."
One abstained.

PUBLIC COMMENT

There was no public comment.

LEGAL REPORT

Ms. Nocero stated there was no legal report.

DIRECTOR'S REPORT

Mr. Boyd said that the *Balanced Growth Initiative Eastern Lake County Coastal Tributaries Plan* was finished and submitted.

ANNOUNCEMENT

There were no announcements.

SUBDIVISION REVIEW

Concord Township - Crossroads at Summerwood, Phase 2, Final Plat, 2 Sublots, 2.0273 Acres

Mr. Radachy said that this is a 2 subplot subdivision, zoned R-4 and vacant. Thomas and Doreen Riebe, Trustees, are the applicants and Joseph Gutoskey of Gutoskey and Associates is the Engineer. All the improvements, road, storm, sanitary, water, etc., have been installed so there are no new improvements and no improvement plans. Mr. Radachy showed a 2009 airphoto of the site along with a zoning map and land use map.

Mr. Radachy stated that the preliminary plan was accepted on March 30, 2005 and the first phase was accepted on June 27, 2005. The Lake County Subdivision Regulations state that the preliminary plan approval expires after three years unless another phase is filed or the Planning Commission grants an extension. Mr. Riebe applied for, and was granted, three one-year extensions. The last extension would have expired on June 30, 2011. He applied and was denied another extension and opted to submit the second phase on June 29, 2011. This automatically extended the preliminary plan.

Proposed Stipulations:

1. The lot borders for sublots 1 to 3 and 22 to 24 of Crossroads of Summerwood Phase 1 shall be shown along with their subdivision name, volume and page. *Article III Section 6 D 3 f and Article III Section 6 D 3 m*
2. Remove the mortgage release. *LCPC*
It does appear the first paragraph of the mortgage release is not necessary. *L.C. Engineer*

Proposed Comments:

1. Information provided in the Preliminary Plan and stub end of Crossroads Drive indicates that Sublot 27 will become a corner lot. Until Crossroads Drive is dedicated, the access point will be required to be on Forest Valley Drive. *LCPC*
2. The surveyor has included the year of 2011 on all of the acceptance and approval signatures. That would require all agencies to sign the plat by December 31, 2011. If this is not the time frame in mind for the developer, the surveyor may want to replace "2011" with "_____". *LCPC*
3. The Cleveland Electric Illuminating Company has no cause to recommend approval be withheld. *First Energy Corp.*
4. No deficiencies or concerns. *Painesville City Water*
5. No comments, recommendations or objections at this time. *Concord Twp. Fire Dept.*
6. None noted at this time. *Concord Twp. Service Dept.*
7. No Deficiencies or concerns noted. *LCSWCD*
8. No concerns. It appears compliant with Phase I with no new infrastructure changes. *Concord Twp. Trustees*
9. No Objection to approval of Final Plat. *L.C. Utilities Dept.*
10. Prior to the issuance of the final Certificate of Occupancy, the Lake County General Health District shall have granted final approval of a conforming water and sanitary sewerage disposal system. A final Certificate of Occupancy will not be issued by the Lake County Building Department until or unless the Building Official inspects the building or structure and finds no violations of the provisions of the 2006 Residential Code of Ohio for One, Two, and Three – Family Dwellings, or other laws that are enforced by the Lake County Building Department. No building or structure shall be used or occupied and no change in existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy.

Ms. Pesec asked for a motion.

Mr. Pegoraro moved and Mr. Adams seconded the motion to approve Crossroads at Summerwood, Phase 2, Final Plat, 2 sublots, 2.0273 acres in Concord Township with 2 stipulations and 10 comments.

Ms. Pesec asked for discussion.

Ms. Pesec was concerned about allowing subdivisions to continue with preliminary plans that were approved six to eight years ago. The subdivision regulations have changed to included items such as requiring three-year bonds, only the developer posting the bond, etc. These subdivisions may not have to adhere to those requirements.

Ms. Pesec asked for a vote.

All voted "Aye".

Subdivision Activity Report

Concord Township - Mountainside Farms Phase 4

Mr. Radachy said that the Mountaintop Estates Maintenance bond will expire on July 31, 2011. The County Engineer has a punch list for the developer. There is a street sign missing, missing catch basin, and the developer has not paid inspection fees. Mountainside Farms Phase 4 expires on Oct. 31. A letter was sent to the developer explaining this.

Madison Township – Kimball Estates II, Phase 1

Mr. Radachy said that he was at a meeting on site with the County Engineer, Madison Township Administrator, a Trustee, and concerned citizens. The Engineer stated that they are preparing to remedy the problem and is sending a letter to the Prosecutor to act on the surety bond to correct issues in Kimball Estates II, Phase 1.

Mr. Brotzman thanked staff and the Board for their efforts to correct the situation.

LAND USE AND ZONING REVIEW

There was no Land Use and Zoning review.

Reappointments - R. Constantine, R. Morse, Painesville Township and R. Terriaco, Concord Township

Mr. Schaedlich moved and Mr. Pegoraro seconded the motion to reappoint Richard Constantine, Richard Morse, and Richard Terriaco to the Land Use and Zoning Committee.

Eight voted "Aye."
One abstained.

New Member Appointment – Kathy Miller, Concord Township

Ms. Pesec asked that Board members review the resume of Kathy Miller of Concord Township. She was recommended by Concord Township Trustees to fill the vacancy of C. Richard Hullihen.

Mr. Schaedlich moved and Mr. Brotzman seconded the motion to recommend approval of the appointment of Kathy G. Miller of Concord Township to the Land Use and Zoning Committee.

All voted "Aye."

Mr. Boyd said that a Resolution of Appreciation for C. Richard Hullihen will be mailed to him.

REPORTS OF SPECIAL COMMITTEES

At the suggestion of Ms. Pesec, Mr. Boyd will schedule another Landscape Committee meeting. Mr. Boyd said he would do that.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

Memorandum of Understanding

Mr. Boyd asked the Board to review the content of the agreement of the Memorandum of Understanding (MOU) discussed at the last meeting. Discussion ensued concerning the meaning and intent of the MOU with respect to the integrity of the Planning Commission staff and its relationship to the Planning Commission Board and the Board of County Commissioners.

Planning Commission Board members expressed concern about staffing levels if federal funds were cut or if planning and zoning administrative duties were increased.

Ms. Nocero said that the MOU should acknowledge the relationship between staff, Board, and Commissioners. She suggested that the Budget Hearing for 2012, which usually takes place in November, would be a good time to present the MOU to the Commissioners. Job descriptions will be important. She also agreed to draft a MOU focusing on the relationship between the Board and staff and the interface with the federal grants program.

Mr. Boyd agreed to email suggested changes to the MOU to Board members.

Mr. Boyd said that, for now, we need a resolution from the Commissioners renaming our office and another resolution confirming Marian Norman's HOME program assignment to the new office.

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There was no comment from the public.

ADJOURNMENT

Mr. Zondag moved and Mr. Schaedlich seconded the motion to adjourn the meeting.

All voted "Aye."

The meeting adjourned at 8:25 p.m.